



The Honorable Robert W. Goodlatte
Chairman
House Judiciary Committee
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Goodlatte,

I am writing in qualified support of H.R. 1773, the Agriculture Guestworker Act of 2013. The American Sheep Industry Association (ASI) is the national trade association of the industry, representing more than 82,000 sheep producers nationwide. As a producer-driven federation of state associations, ASI communicates the associations' position on policies developed by its membership. ASI supports your leadership efforts on H.R. 1773 and encourages its adoption, or inclusion in any immigration reform bill that is considered on the House floor.

While pleased with the substantive provisions you have included to date, we do believe mobile housing for sheep herders needs to be addressed in H.R. 1773. We understand H.R. 1773 does not require employers to provide free housing to H-2C workers however mobile housing units are such a critical element to sheep herding, ASI anticipates that ranches would continue to use them under the AG Act. The sheep industry relies on mobile housing units due to the vast and remote areas in which our industry herds and manages livestock. ASI supports the continued application of the mobile housing standards outlined in section B of part III of 'Special Procedures: Labor Certification Process for Shepherders and Goatherders under the H-2A Program', as adopted and enforced by the Department of Labor before June 14, 2011. Accordingly, for ASI and its producers to fully embrace H.R. 1773, we respectfully request your commitment to include specific special procedures codifying language in H.R. 1773 during floor consideration.

ASI supports efforts to codify the special procedures that have been available to the sheep industry under H-2A in a new, market-based agricultural guestworker program. A viable agricultural guestworker program is vitally important to the sheep industry because nearly one-third of the nation's sheep production depends on foreign sheep herders. The U.S. sheep industry has among the highest level of legal and documented foreign workers of American agriculture and the current guest worker program for agriculture, although deeply flawed, aids in that statistic. The regulations permitting ranchers to employ sheep herders on a multi-year, uninterrupted basis under the H-2A program have been widely used by sheep herders for decades and are what makes the program so successful. ASI is pleased that this provision would be codified under H.R. 1773.

ASI also supports provisions in H.R. 1773 that would allow an individual employer to file visa program applications on its own behalf or in conjunction with an association of employers. In addition, ASI believes that under the AG Act, the Secretary of Agriculture should allow sheep industry employers that do not operate in one fixed-site location to provide as part of their petition and job description, a list of anticipated work locations, which may include an anticipated itinerary, that may be subsequently amended by the employer with notice to the Secretary. And for



industries like the sheep industry that typically pay a monthly wage, the Secretary should require that workers will be paid no less frequently than monthly.

We support continuation of the special procedure used for shepherder wages and suggest a monthly base wage established by the prevailing wage in effect on January 1, 2013. Annual adjustment by a percentage equal to the higher of the federal or state minimum wage change percentage during the past year would be supported by our industry as well.

Finally, ASI supports the enforcement provisions in the AG Act that would penalize workers who abandon their contracts and subject them to removal from the United States. ASI also supports the establishment of an employment eligibility verification system under H.R. 1772 in order to further discourage agricultural workers from abandoning their employment to seek out work for which they are not authorized.

In closing, we reiterate our qualified support of the H-2C program created in H.R 1773. The American Sheep Industry Association urges Congress to incorporate the special procedures available to sheep herders under the H-2A program into H.R. 1773 to ensure that the H-2C program continues these successful features of the existing guestworker program for the nation's lamb and wool producing farm and ranch families.

Sincerely,

A handwritten signature in black ink that reads "Clinton H. Krebs". The signature is written in a cursive, flowing style.

Clint Krebs
ASI President